



80541

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In Re U.S. Patent Application

Applicant: JANSEN et al.

Serial No.: 09/673,779

Filed: April 19, 1999

For: **METHOD FOR THE RAPID  
DETERMINATION OF BACTERIA**

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) correspondence is being deposited  
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) Patents, Washington, DC 20231, on  
) **March 21, 2002**

) *Gerald T. Shelton*  
) Gerald T. Shelton Reg. No. 27,466

AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

APR 05 2002

TECH CENTER 1600 2900

Sir:

The Office Action of December 28, 2001 has been carefully reviewed and the following amendments and remarks are made in response thereto.

In the Specification:

Please substitute the enclosed Substitute Specification for that currently on file. Applicant hereby avers that no new matter has been added in the Substitute Specification.

In the Claims:

Please cancel claims 24-26, without prejudice.

Please amend the claims as follows:

1. A method for identifying the presence of a bacterium in a sample comprising
  - a) testing said sample by Gram-staining and
  - b) testing said sample with a probe according to an in situ hybridisation protocol selected on the basis of the outcome of said Gram-staining and identifying the presence of the bacterium in the sample

A method according to claim 1 when said Gram-staining indicates the presence of a Gram-

#13/511 SPEC/AF  
1999

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>		Docket No. 80541
Applicant(s): Jansen et al		

Serial No. 09/673,779	Filing Date MAR 29 2002 19/1999	Examiner A. Spiegler	Group Art Unit 1656
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Invention:  
**METHOD FOR THE RAPID DETERMINATION OF BACTERIA**

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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	23 -	26 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
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- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

*Gerald T. Shekleton*  
Signature

Dated: 03/21/2002

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